

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03 MDL 1570 (GBD)(SN)
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This document relates to:

Celestine Kone, et al. v. Islamic Republic of Iran, No. 1:23-cv-05790 (GBD)(SN)

**NON-U.S. NATIONAL PLAINTIFF’S NOTICE OF MOTION FOR FINAL JUDGMENT
AS TO LIABILITY AND FOR PARTIAL FINAL JUDGMENT FOR DAMAGES
AGAINST THE ISLAMIC REPUBLIC OF IRAN**

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law and Declaration of Jerry S. Goldman, Esq. (“Goldman Declaration”), with the exhibits attached thereto, and the exhibit submitted with access restricted to the Court pursuant to the May 5, 2022 Order, ECF No. 7963, pertaining to an expert report submitted in support of a default judgment, a non-U.S. National Plaintiff in the above-referenced matter who is identified in Exhibit A (“Moving Plaintiff”) (which is Exhibit B to the Proposed Order) to the Goldman Declaration, by and through counsel, Anderson Kill P.C., respectfully moves this Court for an ORDER:

- (1) determining that service of process in the above-captioned matter was properly effected upon Defendant Islamic Republic of Iran (“Iran”) in accordance with 28 U.S.C. § 1608(a) for sovereign defendants; AND,
- (2) finding that the Court has subject-matter jurisdiction over the common law claims of the Moving Plaintiff pursuant to 28 U.S.C. § 1605B; AND,
- (3) determining that this Court has subject-matter jurisdiction over Iran under the common law for actions arising out of wrongful death based on the intentional acts of international terrorism perpetrated on September 11, 2001 that intentionally targeted innocent civilians resulting in death; AND

(4) entering a judgment as to liability for the Moving Plaintiff identified in Exhibit A for the estate's common law claims; AND,

(5) for the Moving Plaintiff identified in Exhibit A, finding Iran jointly and severally liable with the Taliban and awarding the Moving Plaintiff a damages judgment against Iran in the same amounts previously awarded by this Court to various similarly situated plaintiffs in *Burnett*, *Havlish*, *Ashton*, *Bauer*, *O'Neill*, and other cases; AND,

(6) awarding the estate of the 9/11 decedent, through its personal representative and on behalf of all survivors and all legally entitled beneficiaries and family members of such 9/11 decedent, as identified in Exhibit A, compensatory damages for pain and suffering in the same per estate amount previously awarded by this Court regarding other estates of decedents killed in the September 11th attacks, as set forth in Exhibit A; AND,

(7) awarding compensatory damages to the Moving Plaintiff identified in Exhibit A for the 9/11 decedent's pain and suffering in the amount of \$2,000,000, as set forth in Exhibit A; AND,

(8) on behalf of the Moving Plaintiff, awarding the estate of the 9/11 decedent, through its personal representative and on behalf of all survivors and all legally entitled beneficiaries and family members of such 9/11 decedent, as identified in Exhibit A, an award of economic damages in the amount as set forth in Exhibit A; AND,

(9) awarding the Moving Plaintiff prejudgment interest at the rate of 4.96 percent per annum, compounded annually for the period from September 11, 2001 until the date of the judgment for damages; AND,

(10) granting the Moving Plaintiff permission to seek punitive damages, economic damages, and other appropriate damages, at a later date; AND,

(11) granting permission for all other Plaintiffs in these actions not appearing in Exhibit A to submit applications for damages awards in later stages, to the extent such awards have not previously been addressed; AND,

(12) granting to the Moving Plaintiff such other and further relief as this honorable court deems just and proper.

Dated: New York, New York
July 22, 2024

Respectfully submitted,

/s/ Jerry S. Goldman

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